



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DENNIS NELSON

vs.

TED NESMITH, etal

JUDGMENT IN A CIVIL CASE

CASE NO. 9:06CV1177 TJM-DEP

____ **JURY VERDICT.** This action came before this Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **DECISION BY COURT.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED ; defendants DSS Vanguilder, Richard Potter and Dept. Gillis were previously dismissed from this action by the Court's Order filed November 2, 2006;

IT IS FURTHER ORDERED; That the Court adopts the Report Recommendation of Magistrate Judge David E. Peebles and dismisses the petition to the remaining defendants;

AS IN ACCORDANCE with the Honorable Thomas J. McAvoy's Order of August 13, 2008.

Dated: August 13, 2008

Lawrence K. Bauman

Clerk of the Court

By: Deputy Clerk